



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-आ.-१४१२२०२२-२४१०७०
CG-DL-E-14122022-241070

असाधारण

EXTRAORDINARY

भाग II — खण्ड 2

PART II — Section 2

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 23] नई दिल्ली, शुक्रवार, दिसम्बर ०९, २०२२/ अग्रहायण १८, १९४४ (शक)
No. 23] NEW DELHI, FRIDAY, DECEMBER 09, 2022/AGRAHAYANA 18, 1944 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 9th December, 2022:—

BILL NO. 217 OF 2022

A Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the State of Tamil Nadu.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Tribes) Order (Second Amendment) Act, 2022. Short title.

C.O. 22.

2. In the Constitution (Scheduled Tribes) Order, 1950, in the Schedule, in Part XIV.—
Tamil Nadu, after entry 36, the following entry shall be inserted, namely:—

"37. Narikoravan, Kurivikkaran.".

Amendment of
Constitution
(Scheduled
Tribes) Order,
1950.

STATEMENT OF OBJECTS AND REASONS

Scheduled Tribes have been defined in clause (25) of article 366 of the Constitution as such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purposes of the Constitution.

2. Article 342 of the Constitution provides as under:—

"342. Scheduled Tribes.—(1) The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.".

3. In accordance with the said Constitutional provisions, the first list of Scheduled Tribes was notified in respect of various States and Union territories *vide* the Constitution (Scheduled Tribes) Order, 1950. Subsequently, the list of Scheduled Tribes in respect of the State of Tamil Nadu was amended *vide* the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002.

4. The Government of Tamil Nadu has requested to include Narikoravan along with Kurivikkaran communities in the list of Scheduled Tribes in respect of the State of Tamil Nadu. On the basis of the recommendation of the State of Tamil Nadu and after consultation with the Registrar General of India and the National Commission for Scheduled Tribes, it is proposed to amend Part XIV of the Schedule to the Constitution (Scheduled Tribes) Order, 1950.

5. Accordingly, the Constitution (Scheduled Tribes) Order (Second Amendment) Bill, 2022 proposes to insert entry "37. Narikoravan, Kurivikkaran" in Part XIV of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 in respect of the State of Tamil Nadu.

6. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;

The 17th November, 2022.

ARJUN MUNDA.

FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950 for inclusion of entry "37. Narikoravan, Kurivikkaran" in Part XIV of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 in respect of the State of Tamil Nadu. The amendment in the list of Scheduled Tribes in respect of the State of Tamil Nadu may entail additional expenditure on account of benefits to be provided to persons belonging to the said communities proposed in the Bill under the continuing schemes meant for the welfare of the Scheduled Tribes.

2. It is not possible to estimate the likely additional expenditure to be incurred on this account at this stage. However, the expenditure, if any, will be accommodated within the approved budgetary outlay of the Government.

BILL NO. 218 OF 2022

A Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to provide for inclusion of certain communities in the list of Scheduled Tribes in relation to the State of Himachal Pradesh.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Constitution (Scheduled Tribes) Order (Third Amendment) Act, 2022.

Amendment
of
Constitution
(Scheduled
Tribes)
Order, 1950.

2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in Part V.— C.O. 22. *Himachal Pradesh*, after entry 10, the following entry shall be inserted, namely:—

“11. Hattee of Trans Giri area of Sirmour district.”.

STATEMENT OF OBJECTS AND REASONS

Scheduled Tribes have been defined in clause (25) of article 366 of the Constitution as "such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purposes of this Constitution.".

2. Article 342 of the Constitution provides as under:—

"342. Scheduled Tribes.—(1) The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.".

3. According to the provisions of article 342 of the Constitution, the first list of the Scheduled Tribes was notified during the year 1950 in respect of various States and Union territories, *vide* the Constitution (Scheduled Tribes) Order, 1950. This list was modified from time to time. List of Scheduled Tribes of the State of Himachal Pradesh has been modified, *vide* the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 2002 (10 of 2003). The State Government of Himachal Pradesh has requested to include Hattee community of Trans Giri area of Sirmour district in Scheduled Tribes list, excluding those communities which are already notified as Scheduled Castes for the State of Himachal Pradesh.

4. On the basis of recommendation of the State Government of Himachal Pradesh, it is proposed to modify the list of Scheduled Tribes in respect of State of Himachal Pradesh by amending the Constitution (Scheduled Tribes) Order, 1950.

5. The Constitution (Scheduled Tribes) Order (Third Amendment) Bill, 2022 proposes to amend Part V.—Himachal Pradesh of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 to insert "Hattee of Trans Giri area of Sirmour district" in the list of Scheduled Tribes after entry 10.

6. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;
The 9th November, 2022.

ARJUN MUNDA.

FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950, by amending the list of Scheduled Tribes in the State of Himachal Pradesh. The amendment in the list of Scheduled Tribes relating to the State of Himachal Pradesh may entail additional expenditure on account of benefits to be provided to the persons belonging to the communities proposed in the Bill under the continuing schemes meant for the welfare of the Scheduled Tribes.

2. It is not possible to estimate the likely additional expenditure to be incurred on this account at this stage. However, the expenditure, if any, shall be accommodated within the approved budgetary outlay of the Government.

BILL NO. 219 OF 2022

A Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in relation to the State of Karnataka.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Tribes) Order (Fourth Amendment) Act, 2022. Short title.

C.O. 22. **2.** In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in PART VI.— Amendment of Constitution (Scheduled Tribes) Order, 1950.
Karnataka, for entry 16, the following entry shall be substituted, namely:—

“16. Kadu Kuruba, Betta-Kuruba”.

STATEMENT OF OBJECTS AND REASONS

Scheduled Tribes have been defined in clause (25) of article 366 of the Constitution as “such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purposes of this Constitution.”.

2. Article 342 of the Constitution provides as under:—

“342. Scheduled Tribes.—(1) The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.”.

3. According to the provisions of article 342 of the Constitution, the first list of the Scheduled Tribes was notified during the year 1950 in respect of various States and Union territories, *vide* the Constitution (Scheduled Tribes) Order, 1950. This list was modified from time to time. List of Scheduled Tribes of the State of Karnataka has been modified, *vide* the Constitution (Scheduled Tribes) Order (Amendment) Act, 2020 (4 of 2020). The State Government of Karnataka has requested to include “Betta-Kuruba” community as synonym of “Kadu Kuruba” in entry 16 in the list of Scheduled Tribes of Karnataka.

4. On the basis of recommendation of the State Government of Karnataka, it is proposed to modify the list of Scheduled Tribes in respect of State of Karnataka by amending the Constitution (Scheduled Tribes) Order, 1950.

5. The Constitution (Scheduled Tribes) Order (Fourth Amendment) Bill, 2022 proposes to amend Part VI.—Karnataka of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 by substituting entry 16 to include “Betta-Kuruba” alongwith “Kadu Kuruba”.

6. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;
The 18th November, 2022.

ARJUN MUNDA.

FINANCIAL MEMORANDUM

The Bill seeks to amend the Constitution (Scheduled Tribes) Order, 1950, by amending the list of Scheduled Tribes in the State of Karnataka. The amendment in the list of Scheduled Tribes relating to the State of Karnataka may entail additional expenditure on account of benefits to be provided to the persons belonging to the communities proposed in the Bill under the continuing schemes meant for the welfare of the Scheduled Tribes.

2. It is not possible to estimate the likely additional expenditure to be incurred on this account at this stage. However, the expenditure, if any, shall be accommodated within the approved budgetary outlay of the Government.

ANNEXURE

EXTRACT FROM THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950

(C.O. 22)

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THE SCHEDULE

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PART VI.—*Karnataka*

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16. Kadu Kuruba

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BILL No. 220 OF 2022

A Bill further to amend the Constitution (Scheduled Tribes) Order, 1950 for inclusion of certain communities in the list of Scheduled Tribes in relation to the State of Chhattisgarh.

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Tribes) Order (Fifth Amendment) Act, 2022. Short title.

2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in PART XX.—*Chhattisgarh*,—

(i) for entry 5, the following entry shall be substituted, namely:—

“5. Bharia Bhumia, Bhuinhar Bhumia, Bhumiya, Bharia, Bhuinya, Bhuiyan, Bhuyan, Paliha, Pando”;

Amendment
of Part XX
of
Constitution
(Scheduled
Tribes)
Order, 1950.

C.O. 22.

(ii) in entry 14, after "Dhanwar", insert ", Dhanuhar, Dhanuwar";

(iii) for entry 15, as amended by the Fourth Schedule to the Madhya Pradesh Reorganisation Act, 2000, as appearing in the Hindi version of the said Act, the following shall be substituted, namely:—

28 of 2000.

"15. Gadaba, Gadba";

(iv) for entry 16, as amended by the Fourth Schedule to the Madhya Pradesh Reorganisation Act, 2000, as appearing in the Hindi version of the said Act, the following shall be substituted, namely:—

28 of 2000.

"16. Gond, Arakh, Arrakh, Agaria, Asur, Abujh Maria, Badi Maria, Bada Maria, Bhatola, Bhimma, Bhuta, Koilabhuta, Koliabhuti, Bhar, Bisonhorn Maria, Chota Maria, Dandami Maria, Dhuru, Dhurwa, Dhoba, Dhulia, Dorla, Gaiki, Gatta, Gatti, Gaita, Gond Gowari, Hill Maria, Kandra, Kalanga, Khatola, Koitar, Koya, Khirwar, Khirwara, Kucha Maria, Kuchaki Maria, Madia, Maria, Mana, Mannewar, Moghya, Mogia, Monghya, Mudia, Muria, Nagarchi, Nagwanshi, Ojha, Raj, Sonjhari, Jhareka, Thatia, Thotya, Wade Maria, Vade Maria, Daroi";

(v) in entry 23, for "Kondh", substitute "Kond, Kondh";

(vi) for entry 27, as amended by the Fourth Schedule to the Madhya Pradesh Reorganisation Act, 2000, as appearing in the Hindi version of the said Act, for "Kodaku", substitute "Kodaku";

28 of 2000.

(vii) in entry 32, after "Nagasia", insert ", Kisan";

(viii) for entry 33, as amended by the Fourth Schedule to the Madhya Pradesh Reorganisation Act, 2000, as appearing in the Hindi version of the said Act, the following shall be substituted, namely:—

28 of 2000.

"33. Oraon, Dhanka, Dhangad";

(ix) in entry 41, after "Sawara", insert ", Saunra, Saonra";

(x) after entry 42, the following entry shall be inserted, namely:—

"43. Binjhia".

STATEMENT OF OBJECTS AND REASONS

The Scheduled Tribes have been defined in clause (25) of article 366 of the Constitution as "such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes for the purposes of this Constitution.".

2. Article 342 of the Constitution provides as under:—

"342. Scheduled Tribe.—(1) The President may with respect to any State or Union territory, and where it is a State, after consultation with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State or Union territory, as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.".

3. According to the provisions of article 342 of the Constitution, the first list of the Scheduled Tribes was notified on 6th September, 1950 in respect of various States and Union territories, *vide* the Constitution (Scheduled Tribes) Order, 1950. This list was modified from time to time. The State Government of Chhattisgarh has recommended to modify the list of the Scheduled Tribes to amend the Constitution (Scheduled Tribes) Order, 1950.

4. Accordingly, the list of the Scheduled Tribes is proposed to be modified in respect of the State of Chhattisgarh, after consultation with the Registrar General of India and the National Commission for the Scheduled Tribes.

5. The Constitution (Scheduled Tribes) Order (Fifth Amendment) Bill, 2022, *inter alia* proposes—

(a) to include—

(i) Bhuinya, Bhuiyan and Bhuyan communities as synonyms of Bharia Bhumia;

(ii) Bharia in the Hindi version; and

(iii) three Devanagari versions of Pando community,

in entry 5;

(b) to include Dhanuhar and Dhanuwar communities in entry 14;

(c) to substitute entries 15, 16, 27 and 33 as appearing in Hindi version of the Madhya Pradesh Reorganisation Act, 2000;

(d) to substitute Kond, Kondh for Kondh in entry 23;

(e) to include Kisan community in entry 32;

(f) to include Saunra and Saonra communities in entry 41;

(g) to include Binjhia community in new entry 43.

6. The Bill seeks to achieve the above objectives.

NEW DELHI;

The 23rd November, 2022.

ARJUN MUNDA.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to include certain communities as well as addition of synonyms of communities in the existing lists of Scheduled Tribes. This may entail additional expenditures on account of benefits to be provided to the persons belonging to such communities, under the continuing schemes meant for the welfare of the Scheduled Tribes.

2. It is not possible to estimate the likely additional expenditures to be incurred on this account at this stage. However, the expenditure, if any, shall be accommodated within the approved budgetary outlay of the Government.

ANNEXURE

EXTRACT FROM THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950

C.O. 22

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THE SCHEDULE

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PART XX.—*Chhattisgarh*

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5. Bharia Bhumia, Bhuinhar Bhumia, Bhumiya, Bharia, Paliha, Pando

* * * * *

14. Dhanwar

15. Gadaba, Gadba

16. Gond, Arakh, Arrakh, Agaria, Asur, Badi Maria, Bada Maria, Bhatola, Bimma, Bhuta, Koilabhuta, Kolibhuti, Bhar, Bisonhorn Maria, Chota Maria, Dandami Maria, Dhuru, Dhurwa, Dhoba, Dhulia, Dorla, Gaiki, Gatta, Gatti, Gaita, Gond, Gowari Hill Maria, Kandra, Kalanga, Hatola, Koitar, Koya, Khrirwar, Hirwara, Kucha Maria, Kuchaki Maria, Madia, Maria, Mana, Mannewar, Moghya, Mogia, Minghya, Mudia, Muria, Nagarchi, Nagwanshi, Ojha, Raj Gond, Sonjhari, Jhareka, Thatia, Thotya, Wade Maria, Vade Maria, Daroi

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23. Kondh, Khond, Kandh

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27. Korwa, Kodaku

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32. Nagesia, Nagasia

33. Oraon, Dhanka, Dhangad

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41. Sawar, Sawara

42. Sonr.

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UTPAL KUMAR SINGH

Secretary General